

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

In Re: Application for Exemption from)
The Electronic Public Access Fees by)
The Institute for the Advancement of the)
American Legal System (IAALS))
)
Misc. Case No.: 3:17-mc-12
Chief Judge Waverly D. Crenshaw, Jr.

ORDER

This matter is before the Court upon the application and request (attached to this Order) by IAALS for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts. The Court finds that IAALS, as an institute dedicated to forging innovative and practical solutions to problems within the American legal system, falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, IAALS has demonstrated that an exemption is necessary to avoid unreasonable burdens and to promote public access to information. Accordingly, IAALS shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this court, to the extent such use is incurred in the course of its research. IAALS shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court. Additionally, the following limitations apply:

1. this fee exemption applies only to IAALS and is valid only for the purposes stated above;
2. this fee exemption applies only to the electronic case files of this court that are available through PACER system;
3. by accepting this exemption, IAALS agrees not to sell for profit any data obtained as a result of receiving this exemption;

4. IAALS is prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via internet based databases; and
5. This exemption is valid only through December 31, 2017, and shall automatically terminate after that date.

This exemption may be revoked at the discretion of the Court at any time. A copy of this Order shall be sent to the PACER Service Center.

Dated this 6th day of September, 2017.



Chief Judge Waverly D. Crenshaw, Jr.



INSTITUTE for the ADVANCEMENT
of the AMERICAN LEGAL SYSTEM



May 19, 2017

Mr. Keith Throckmorton
Clerk of the Court
U.S. District Court – Middle District of Tennessee
Estes Kefauver Federal Building and Courthouse
801 Broadway
Nashville, TN 37203

RECEIVED
IN CLERK'S OFFICE

MAY 30 2017

U.S. DISTRICT COURT
MID. DIST. TENN.

Dear Mr. Throckmorton:

On behalf of IAALS, the Institute for the Advancement of the American Legal System, we are requesting an exemption for PACER access fees for the period commencing June 2017 through December 2017. IAALS is a 501(c)(3) not-for-profit organization located at the University of Denver. We are a national, independent research center whose mission is to forge innovative and practical solutions to problems within the American legal system. We carry out this mission by engaging in empirical research to understand the current landscape, making recommendations based on this research, implementing those recommendations, then measuring the outcomes and impact of the implemented recommendations.

Toward this end, we are conducting a docket study to better understand summary judgment practice in the federal courts and are hoping to include the Middle District of Tennessee U.S. District Court in our study. We are requesting an exemption from payment of the user access fee to the courts electronic records (PACER) from each of our selected study districts for this purpose. Securing this fee waiver will allow our research team to access data from a sample of civil cases in your district, which we would be otherwise unable to do due to the considerable financial burden of accessing a large number of case documents. IAALS agrees not to transfer or sell for profit the data obtained as a result of this data gathering. We conducted a similar docket study with select study districts in 2007, and IAALS received an exemption for PACER access fees for that study, as well.

We look forward to sharing with your court the results of our efforts. We thank you in advance for your consideration of this request. It will allow IAALS to better pursue its mission.

Enclosed please find a copy of IAALS' 2016 Annual Report for more information about our organization. You can also find information about our organization on our website at iaals.du.edu.

John Moye Hall, 2060 South Gaylord Way, Denver, Colorado 80208
303.871.6600 fax 303.871.6610 <http://iaals.du.edu>



INSTITUTE for the ADVANCEMENT
of the AMERICAN LEGAL SYSTEM



Please feel free to contact us with any questions you may have with regard to this request. We look forward to your positive response.

Sincerely,

Brittany K.T. Kauffman
Director, Rule One Initiative
(303) 871-6619 | Brittany.kauffman@du.edu

Logan Cornett
Senior Research Analyst
(303) 871-6607 | logan.cornett@du.edu

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303.871.6600 fax 303.871.6610 <http://iaals.du.edu>